



EMPLOYMENT TRIBUNALS

Claimant: Mr N Islam
Respondent: Brexport Limited
Heard at: East London Hearing Centre (in public; by CVP)
On: 26 June 2023
Before: Employment Judge Gordon Walker (sitting alone)

Representation

For the claimant: In person

For the respondent: Did not attend

JUDGMENT

1. The respondent did not present a response to the claim or attend the hearing. The respondent was notified of the hearing in accordance with rule 21(3) of the Employment Tribunal Rules of Procedure 2013.
2. The respondent failed to give the claimant itemised pay statements for May, June, July, and August 2022, contrary to section 8 of the Employment Rights Act 1996.
3. The claim for unauthorised deductions from wages (section 13 Employment Rights Act 1996) is well founded. The respondent made unauthorised deductions from the claimant's wages and is ordered to pay to the claimant the gross sum of £3,703.65. This sum is calculated as follows:
 - a. In March 2022 the amount properly payable to the claimant was the gross sum of £965.25. The claimant was paid the gross sum of £926.64. Therefore £38.61 was unlawfully deducted.
 - b. In April 2022 the amount properly payable to the claimant was the gross sum of £1029.17. The claimant was paid the gross sum of £926.64. Therefore £102.53 was unlawfully deducted.

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- c. In May 2022 the amount properly payable to the claimant was the gross sum of £1029.17. The claimant was paid £nil for that month. Therefore £1029.17 was unlawfully deducted.
 - d. In June 2022 the amount properly payable to the claimant was the gross sum of £1029.17. The claimant was paid £nil for that month. Therefore £1029.17 was unlawfully deducted.
 - e. In July 2022 the amount properly payable to the claimant was the gross sum of £1029.17. The claimant was paid £nil for that month. Therefore £1029.17 was unlawfully deducted.
 - f. In August 2022 the amount properly payable to the claimant was the gross sum of £475. The claimant was paid £nil for that month. Therefore £475 was unlawfully deducted.
- 4. The deductions were a series of deductions within the meaning of section 23(3)(a) Employment Rights Act 1996.
 - 5. There was no financial loss attributable to the unlawful deduction from wages (section 24(2) Employment Rights Act 1996).
 - 6. There was no unreasonable failure to comply with the ACAS code of practice on grievance procedures (section 207A Trade Union and Labour Relations (Consolidation) Act 1996).

Employment Judge Gordon Walker
Date: 26 June 2023